

Remark

Applicants respectfully request reconsideration of this application as amended. Claims 1, 8, 12, 16 and 26 have been amended. No claims have been cancelled. Therefore, claims 1-28 are present for examination.

35 U.S.C. §102 Rejection*Gorsuch*

The Examiner has rejected claims 1-23, 25-26 and 28 under 35 U.S.C. §102 (e) as being anticipated by Gorsuch, U.S. Patent No. 6,081,536 ("Gorsuch"). Gorsuch is directed to allocating subchannels to CDMA subscribers during times when a particular ISDN subscriber is requesting that large amounts of data be transferred. (Col. 6, lines 54 et seq.) The subchannels are 8kbps transmissions all on the same frequency band and each with a unique PN code (Figure 3). To receive such a subchannel requires an additional receiver, or at least a significant portion of a receiver to take the shared broadband signal and filter it using the additional PN code. This adds significant cost to the receiver for each additional subchannel.

The present invention provides that further stream be allocated to subscribers of a time division multiple access system. The streams are comprised of further time slots on assigned frequencies. If the allocated time slots are selected to avoid time overlaps, then the same receiver may receive both streams. A frequency hopping receiver can do this whether or not the additional time slots are on the same frequency or have a similar hopping sequence.

The significant advantages of the present invention together with the significantly different engineering and design issues are believed to render the claims of the present invention patentable

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over the reference. All of the claims of the present application are believed to be allowable on the same grounds, among others.

Allowable Subject Matter

Applicants thank the Examiner for the indication of allowable subject matter in Claims 24 and 27. These claims remain in the case.

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Conclusion

Applicants respectfully submit that the rejections have been overcome by the amendment and remark, and that the claims as amended are now in condition for allowance. Accordingly, Applicants respectfully request the rejections be withdrawn and the claims as amended be allowed.

Invitation for a Telephone Interview

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

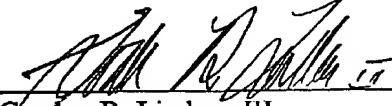
Request for an Extension of Time

Applicants respectfully petition for an extension of time to respond to the outstanding Office Action pursuant to 37 C.F.R. § 1.136(a) should one be necessary. Please charge our Deposit Account No. 02-2666 to cover the necessary fee under 37 C.F.R. § 1.17(a) for such an extension. Charge our Deposit Account.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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Date: 11/3/04



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